

LOCAL PLANNING POLICY

PLANNING POLICY NO	LPP.16
POLICY SUBJECT	TRANSPORTED & RELOCATED DWELLINGS
ADOPTION DATE	20 August 2009
LAST REVIEW	18 September 2012

STATEMENT OF INTENT

This policy provides information and guidance on the placement of transported or relocated dwellings on land within the Shire of Toodyay. The policy aims to ensure that development involving the use of transported or relocated dwellings occurs in a manner that maintains the amenity and appearance of the area in which the building will be situated.

OBJECTIVES

- To provide guidance on the standards of building construction and appearance required for transportable or relocated dwellings.
- To define guidelines by which the Council will assess proposals for the placement of transportable or relocated buildings (including relocated dwellings) on land within the Shire of Toodyay.
- To ensure that the amenity and appearance of the locality in which the transportable or relocated building will be situated is maintained.

DEFINITIONS

“Transported or Relocated Dwelling” shall mean a residential dwelling which has previously been constructed and occupied (whether within the district or elsewhere) which is capable of being transferred and reconstructed for use as a residential dwelling. This policy does not refer to new transportable dwellings and will only apply to second hand buildings.

STATUTORY POWERS

This Local Planning Policy is made pursuant to Clause 2.2 of the Shire of Toodyay Local Planning Scheme No 4.

POLICY STATEMENT

Application Requirements

1. All applications to develop a transported or relocated dwelling within the Shire of Toodyay shall include the following information:
 - a) An Application for Planning Approval and the payment of the required planning fees;

- b) Details of where the transported or relocated dwelling is to be removed from;
- c) Detailed plans of the subject building and a comprehensive site plan indicating the proposed location of the building;
- d) Recent photographs of every external elevation of the proposed dwelling. The photographs shall clearly indicate its current design and condition;
- e) Certification from a Structural Engineer stating that the structure is suitable for relocation, appropriate for the conditions of the Toodyay Shire and structurally sound;
- f) Detailed specifications on the works to be undertaken to the building to render it compliant with the Building Code of Australia;
- g) Specification on the works to be undertaken on the dwelling, including any modifications and additions to the dwelling and the materials and colours to be used;
- h) Details of how it is proposed to transport and re-erect the building; and
- i) A detailed time frame for the relocation of the proposed dwelling and any proposed works.

Minimum Design Requirements

- 2. The approval of transported or relocated dwellings will only be considered if the following design standards may be achieved:
 - a) The dwelling has a minimum floor area of not less than 120m²;
 - b) The roof shall have a minimum pitch of 20 degrees;
 - c) The exterior cladding and roof materials shall be in good condition and the proposal includes improvement works to the exterior of the building, including repainting, re-cladding as necessary and architectural detailing, such that the proposed dwelling will be aesthetically pleasing; and
 - d) The external finishes, bulk, scale and design of the house are such that it will not have a detrimental impact upon the amenity of the area or landscape into which it is being relocated.
- 3. Where any material containing asbestos fibres remains in or on the dwelling, including cement asbestos roofing or cladding, roof insulation or for any other purpose, such material shall be removed prior to the building being transported within or into the Shire.
- 4. A transported or relocated dwelling will only be approved if certification is received from a Structural Engineer that states the dwelling is structurally sound, is suitable for transport and is appropriate for the conditions of the Toodyay Shire. This inspection shall occur at the proponent's expense.

Approvals and Bonds

5. As part of the planning approval of a transported or relocated dwelling, the Council may impose conditions that require any works considered necessary to improve the appearance of the structure, including the addition of verandahs, painting, landscaping and the cover of stump areas etc.
6. The approval of a transportable or relocated dwelling will require the lodgement of a cash bond to the value of \$20,000 prior to the issue of a building licence. This bond will be used to remove the dwelling in the event that the owner and/or builder default on the conditions of this policy, the Planning Approval or any conditions of the Building Licence.
7. A signed statutory declaration outlining a bonding agreement is to be entered into by the owner/s prior to issue of a building license. The agreement is to outline a staged repayment of the performance bond, as follows:

Stage One (Return of 25% of bond)

- Dwelling correctly positioned on site, as per approved site plan (setback correct etc) in accordance with the Planning Approval.
- Dwelling is correctly stumped and site filled, drained and graded satisfactorily, such as it is structurally adequate in accordance with the engineers certification.
- Dwelling is up to lock-up stage (all external windows, doors and fittings/fixtures installed/repaired).

Stage Two (Return of second 25% of bond)

- All gutters, fascia and downpipe work completed.
- All roof end/roofing work is completed (flashings on ridge and gable ends installed).
- All external surfaces to be painted to a tradesman like standard in accordance with the Planning & Building Approvals (including wall, doors, window surrounds, sills etc).

Stage Three (Return of remaining 50% of bond)

- Compliance with all conditions of planning approval.
- Approved effluent disposal system installed. System has been inspected by Council Health Officer and a permit to use has been issued.

- Completion and certification of all electrical work.
- Completion and certification of all plumbing work.
- All wet area tiling completed in accordance with the Building Code of Australia.
- Kitchen fit-out completed (cupboards/benches & stove/hotplate installed etc).
- Building has reached practical completion stage.

Note: The agreement is to clearly state that should Stage One and Two completion not be reached within 90 days of the building's placement on site or Stage Three completion not reached within 12 months of issue of a building license, then the bond monies are to be forfeited to the Shire of Toodyay and the building removed from the site.

8. The provisions of this policy shall not excuse compliance with any other legislation, policy or requirement that may apply to the proposed development.
9. The Council may vary the requirements of this policy, where it is considered that full compliance with the policy is impractical or such variation is warranted in the circumstances of the case.

Adopted as TP Policy 15 December 2005
Reviewed Council Meeting 16 November 2006
Amended Council Meeting 15 November 2007
Amended Council Meeting 21 May 2009
Reviewed Council Meeting 13 May 2010
Amended Council Meeting 18 September 2012